

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.611 of 2014

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Ram Snehi Yadav & Anr

.... Petitioner/s

Versus

Kaushalya Devi & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harshwardhan Sahay

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 08-12-2015 Heard the learned counsel, Mr. Harshwardhan Sahay,
appearing on behalf of the intervener-petitioner.

By the impugned order dated 16.11.2013 passed by Munsif
2nd Munger in Title Suit No. 23 of 1999 rejected the intervention
application filed by the petitioners under order I Rule 10 of the
Code of Civil Procedure.

It appears that the plaintiff-respondents filed a Title Suit
No. 23 of 1999 for setting aside the sale deed executed by
defendant Ist-set in favour of defendant IInd set on 18.01.1999.
This sale deed admittedly is in the name of the father of these
petitioners. The petitioner's grievance is that their father is not
taking any interest and that the property has been purchased by the
fund of the joint family.

Perused the order passed by the Court below. The Court
below found that the sale deed in the name of the father of the

present petitioner and the father is alive who is defendant Ist party and in presence of the father, the present petitioners have got no interest in the property and accordingly, rejected the application.

Therefore, in view of the above facts, the impugned order cannot be interfered with in exercise of supervisory jurisdiction under Article 227 of the Constitution of India. Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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